

CASE NO. 3:13-CR-167-RJC-DCK **SEALED**

Defendant.

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party's request to file materials under seal must be made by formal motion, separate from the motion or other pleading sought to be sealed, pursuant to LCvR 7.1. Such motion must be filed electronically under the designation "Motion to Seal." The motion must set forth:

- (1) A non-confidential description of the material sought to be sealed;
- (2) A statement indicating why sealing is necessary and why there are no alternatives to filing under seal;
- (3) Unless permanent sealing is sought, a statement indicating how long the party seeks to have the material maintained under seal and how the matter is to be handled upon unsealing; and
- (4) Supporting statutes, case law, or other authority.

LCvR 6.1.

By the instant motion, the Government seeks to file its "...Response In Opposition To Defendant's Motion For Compassionate Release" (Document No. 54) under seal. (Document No. 55). The Government's motion does not comply with the requirements of LCvR 6.1(c)(1)(4). Id.

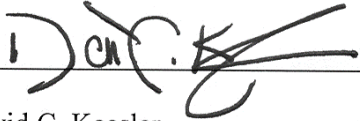
Having considered LCvR 6.1(c) and LCrR 49.1.1 and the record of this case, the Court will grant the motion to seal. The document to be sealed contains the personal medical records of Defendant. However, future motions by the Government that fail to follow the Local Rules may be summarily denied.

Noting that the time for public response has not run to this motion, the Court will consider any objection to this Order from non-parties as an objection to the motion, requiring no additional burden for any non-party under the Federal Rules of Civil Procedure. See LCvR 6.1(e).

IT IS, THEREFORE, ORDERED the "Motion To Seal Government Response" (Document No. 55) is **GRANTED**. Document No. 54, and its attachment (Document No. 54-1), shall remain under **SEAL** until otherwise ordered by this Court.

SO ORDERED.

Signed: January 22, 2021



David C. Keesler
United States Magistrate Judge

